



**MARYLAND GREEN BUILDING COUNCIL
MEETING SUMMARY
LOWE HOUSE OFFICE BUILDING ROOM 150
26 JUNE 2013**

Attendees:

Tom Liebel – MDGBC
Stephen Gilliss – DGS
David Lever - PSCP
Laura Armstrong - MDE
Dan Baldwin - MDP
Crystal Heide - MLS

Meg Andrews - MDOT
David St. Jean - MEA
Caroline Varney- Alvarado - DHCD
Mimi Wright - MDGBC
Fiona Burns - DBM
Scott Walchak – DGS OAG

I. Chairman Tom Liebel brought the meeting to order. Introductions of all attendees followed.

II. Chairman Liebel asked for a motion to approve the meeting summary from the previous meeting held 5/22/2013. A motion was made and seconded and the meeting summary was approved.

III. The Council moved on to the continuing task of reviewing the IgCC.

A. Dan Baldwin led discussion and review of Chapter 4 on Site Development and Land Use.

1. Dan noted that MDE storm water regulations are more rigorous than the IgCC. It is in Section 403 and is very short and could either leave it, change it or delete it. He also noted thought at new LEED and Federal storm water best practices are coming out soon and may go a little beyond so we should keep these in mind.
2. Tom asked how it stands in terms of LEED. Laura Armstrong said again that Maryland is ahead of LEED Silver and LEED V4. Tom feels that makes IgCC and LEED equal since MDE rules would supersede. IgCC seems strong on site which is a great strength. What other tweaks can we make to link up to Maryland policy?
3. Dan said they would like to align with MDP tier maps and link to Plan MD and local comprehensive plans especially focusing on Sections 401 and 402.
4. Laura Armstrong said MDE would take a closer look at Sections 404 and 405 and see how section 405 (erosion control) compares with state regulations.
5. Tom replied that water use and site water use are important in Maryland and conservation of water resources is a big deal. If state policy is more stringent that should be referenced. Caroline Varney – Alvarado said that DHCD has code people who could help write code language.
6. Tom said that we may need to convert some state regulations into code language with the goal of bringing this to the Secretaries for approval as a compliance path. Stephen Gilliss noted that we still want to keep it simple to create and to use. Tom agreed that some of our state policy baseline beats the code so some can be simple edits.
7. David Lever asked if there would be a waiver process. Scott said that regulations are from statute so there would have to be a waiver in the regulation. David's main concern is that Section 402.8 discourages buildings from being built on agricultural or other open land which is often where new schools are built. Stephen Gilliss pointed out that code language usually provides exceptions within the code. David said that the schools are

under County codes. Tom Liebel reiterated that the intent with the IgCC is that it would become an alternate compliance path for the green building program that would not be administered by the County. Scott said that the local jurisdiction might have to accept it as the green compliance path. Tom said that if the IgCC is not acceptable to the County then LEED would be the remaining path to green compliance.

8. Dan Baldwin said that schools in general, including the USM, could be exempt from certain requirements. Tom agreed that this would be easy language to write. The ability to have exemptions is another reason to have an alternate compliance path. Stephen Gilliss noted again that the County would not have to administer but that we will still need to establish a third party such as a commissioning agent to certify compliance. Tom said that hopefully some jurisdictions would decide to adopt it since it would already exist thereby promoting green building across the state.

9. Mimi Wright said that she has seen architects being more comfortable with code than with LEED. Tom said that code officials are also more comfortable with code language as that is what they are trained in.

10. David Lever said that since we are focused more on state buildings we can put this discussion aside but that several of the exceptions for Section 402.8 need to be looked at further. Tom said a well thought out exemption can be included.

Dan Baldwin said that MDP doesn't have a process for exemptions but it is the Maryland High Performance Building Standards that have exemptions for certain types of buildings.

11. David St. Jean said we could also use Chapter 1 Scope and Administration to clarify its use.

12. Stephen Gilliss noted that overall the site selection Section is more stringent than LEED as all of LEED's credits are optional beyond the two prerequisites.

13. Fiona Burns said that DBM is starting to vet building locations as well referring to PLANMD requirements. Stephen Gilliss noted that these decisions will actually need to be made before the project program is approved and funding is appropriated.

B. As a general question Caroline Varney Alvarado asked what the process will be. When and how will her Department's code officials and the OAG look at this?

1. Tom said it would be at the time the full master has been compiled.

2. Caroline said that it should include not just edits but narrative of what each section intends to do.

3. Tom said that he believes that Section 1 "Scope and Application" do that.

4. Scott Walchak suggested that when the work is done the respective AGs look at it to verify...also as to whether it has to be or is comparable to LEED. But right now our path is the technical path.

5. David St. Jean said that it has to come back to the Council in the end for recommendation to the Secretaries.

6. Scott replied that it is a combination of technical, legal and policy issues.

7. Stephen Gilliss reminded all that this code has already been enabled by the legislature for use and amendment in the State. It is not some foreign entity.

C. Discussion moved to Chapter 6 on energy conservation and was led by David St. Jean.

1. First point again is that the "code official" needs to be defined. It can be covered in Chapter 2 Definitions.

2. Section 601 recommendation is to delete the prescriptive path under 601.3.2 application. It requires the use of the ZEPI score and while this may hold some promise in the future it is currently not understood by most energy people. No one seems to understand it or how it is calculated and it is just not ready for prime time use. Tom Liebel agreed.

3. David suggested that under the performance based compliance the minimum would be to improve performance 15% over current code. This is in line with Maryland policy.

Tom suggested it be tied back to the LEED calculation. David said that LEED is currently based on ASHRAE 2010. Tom noted that under LEED a project can already achieve points just by meeting the IECC. David said that Maryland might be the only state adopting each new energy code as they become available. Site energy calculations are based on what we can control.

4. There was concern with what to do with the energy conversion and energy emission rate tables. Also how to figure in renewable energy sources.

5. Tom asked a policy question. From a design perspective does the fuel source drive design decisions to reduce energy? If we want to calculate pounds of CO2 it would be helpful to include renewables. Laura said we'd have to ask MDE if that is useful. Tom suggested just keeping conversion factors for the state. David St Jean said that the state includes 2 subregions as listed in Table 602.1.2.1. Scott suggested the DGS energy office could look at this. Tom said that this looks upstream at the energy profile and impact of carbon dioxide etc. and if it is not too onerous we should use it. David said EVI could be higher and this topic needs more discussion and review. Caroline said it needs to work with GHG policies.

6. Section 603 Metering was discussed. There is currently no LEED comparison. He suggests that we should meter by energy source but not have as much sub metering as the base IgCC calls for. Tom agrees but thinks it would be helpful to get lighting and plug loads metered to help tune the building and diagnose energy issues. David suggested a cost benefit analysis. Tom said he'd look into it.

IV. Tom opened up the floor for "Once Around the Table".

A. David St Jean noted that MEA is using a grant to offer classes for state building personnel involved in maintenance, operation and energy management coordination.

B. Scott Walchak noted that the public private partnership bill passed and anticipates that lots of new projects may come out of this. As capacity ramps up capital projects could spike and have a major impact over the next 6 years.

C. Dan Baldwin noted The Supreme Court's decision in *Koontz vs. St. Johns River Water Management District* could have implications on mitigating the impact from land use change and/or development. This decision could have far-reaching land use implications which may include requiring the use of green building practices. The Atlantic covered the Supreme Court's decision. Dan sent these links:

<http://m.theatlanticcities.com/politics/2013/06/supreme-court-just-handed-real-estate-developers-big-win/6010/>

http://www.scotusblog.com/case-files/cases/koontz-v-st-johns-river-water-management-district/?wpmp_switcher=desktop

V. The meeting was adjourned at 12 PM. The next meeting location is scheduled for July 24, 2013 at 10 AM in Room 150 of the Lowe House Office Building

The preceding is intended as a summary only of the discussions held on this meeting date. Council members are requested to review the summary and notify the writer of any errors, omissions or unintended misrepresentations of the discussion.